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March 3, 2004

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, Massachusetts 02110

Re: D.P.U./D.T.E. 96-73/74, 96-75, 96-80/81, 96-83, 96-94; D.T.E. 03-50

Dear Ms. Cottrell:

WorldCom, Inc. ("MCI") submits this letter in lieu of formal reply comments on the proposed elimination of the Consolidated Arbitrations performance standards. On January 22, 2004, the Department solicited comments from the parties to the Consolidated Arbitrations on whether the performance standards adopted in that proceeding and incorporated into Verizon's interconnection agreements should be eliminated in favor of the Carrier to Carrier Guidelines ("C2C") and the Performance Assurance Plan ("PAP"). Under the proposal, the C2C/PAP would become the sole set of performance standards applicable to Verizon's wholesale performance in Massachusetts.

MCI supports the comments filed by AT&T and joins with AT&T in opposing elimination of the standards set forth in the CLECs' interconnection agreements with Verizon. MCI believes that AT&T's comments fully and set forth the legal impediments to elimination of these standards. If the Department were to unilaterally strike the standards from the CLECs' interconnection agreements, it would be unlawfully interfering with the CLECs' contract rights under sections 251 and 252 of the Telecommunications Act of 1996 ("Act"). If Verizon desires to eliminate the standards incorporated into its interconnection agreements, the proper approach would be for Verizon to attempt to negotiate such a result with the CLECs whose agreements contain these standards, as part of a negotiation conducted under section 252 of the Act.

The C2C/PAP framework should not be the only source of CLEC rights for relief from poor wholesale performance by Verizon. CLECs should (and do, under federal law) have the right to negotiate and, if necessary, arbitrate additional benchmarks and remedies for inclusion in

their individual contracts. The unique business needs and plans of individual CLECs may require negotiation of additional standards. CLECs have a forum to do just that in a section 252 negotiation/arbitration. The C2C/PAP framework is the product of Verizon, the “industry”, as well as the Department. If an individual CLEC has unique needs, it would have no vehicle for negotiating with Verizon to address those needs if the C2C/PAP structure were to be the only set of standards that the Department would enforce. MCI urges the Department to keep the Consolidated Arbitration standards in place.

Respectfully submitted,

Richard C. Fipphen

Cc: Service List